

# The nuclear issue: how to engage Iran

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As ambassadors to Iran during the last decade, we have all followed closely the development of the nuclear crisis between Iran and the international community. It is unacceptable that the talks have been deadlocked for such a long time.

The Arab world and the Middle East are entering a new epoch in which no country is immune from change. This includes the Islamic Republic of Iran, which is facing the disaffection of a significant part of its population. Such a period of uncertainty offers opportunities for reconsidering the West's established position on the Iranian nuclear question.

In terms of international law, the position of Europe and the United States is perhaps less assured than is generally believed. Basically, it is embodied in a set of resolutions adopted by the U.N. Security Council authorizing coercive measures in case of "threats to the peace."

But what constitutes the threat? Is it the enrichment of uranium in Iranian centrifuges? This is certainly a sensitive activity, by a sensitive country, in a highly sensitive region. The concerns expressed by the international community are legitimate, and Iran has a moral duty, as well as a political need, to answer them.

In principle, however, nothing in international law or in the Nuclear Non-Proliferation Treaty forbids the enrichment of uranium. Besides Iran, several other countries, parties or not to the treaty, enrich uranium without being accused of "threatening the peace." And in Iran, this activity is submitted to inspections by the International Atomic Energy Agency. These inspections, it is true, are constrained by a safeguards agreement dating from the 1970s. But it is also true that the IAEA has never uncovered in Iran any attempted diversion of nuclear material to military use.

Is the threat to the peace, then, that Iran is actively attempting to build a nuclear weapon? For at least three years, the United States intelligence community has discounted this hypothesis. The U.S. director of national intelligence, James Clapper, testified in February to Congress: "We continue to assess Iran is keeping open the option to develop nuclear weapons.... We do not know, however, if Iran will eventually decide to build nuclear weapons.... We continue to judge that Iran's nuclear decision-making is guided by a cost-benefit approach, which offers the international community opportunities to influence Tehran."

Today, a majority of experts, even in Israel, seems to view Iran as striving to become a "threshold country," technically able to produce a nuclear weapon but abstaining from doing so for the present. Again, nothing in international law or in the Nuclear Non-

Proliferation Treaty forbids such an ambition. Like Iran, several other countries are on their way to or have already reached such a threshold but have committed not to acquire nuclear weapons. Nobody seems to bother them.

We often hear that Iran's ill-will, its refusal to negotiate seriously, left our countries no other choice but to drag it to the Security Council in 2006. Here also, things are not quite that clear.

Let us remember that in 2005 Iran was ready to discuss a ceiling limit for the number of its centrifuges and to maintain its rate of enrichment far below the high levels necessary for weapons. Tehran also expressed its readiness to put into force the additional protocol that it had signed with the IAEA allowing intrusive inspections throughout Iran, even in non-declared sites. But at that time, the Europeans and the Americans wanted to compel Iran to forsake its enrichment program entirely.

Today, Iranians assume that this is still the goal of Europe and America, and that it is for this reason that the Security Council insists on suspension of all Iranian enrichment activities. But the goal of "zero centrifuges operating in Iran, permanently or temporarily," is unrealistic, and it has heavily contributed to the present standoff.

Of course, a dilemma lingers in the minds of most of our leaders. Why offer the Iranian regime an opening that could help it restore its internal and international legitimacy? Should we not wait for a more palatable successor before making a new overture?

This is a legitimate question, but we should not overestimate the influence of a nuclear negotiation on internal developments in Iran. Ronald Reagan used to call the Soviet Union the "evil empire," but that did not stop him from negotiating intensely with Mikhail Gorbachev on nuclear disarmament. Should we blame him for having slowed down the course of history?

The five permanent members of the Security Council and Germany should certainly keep the focus on matters of political and human rights, but they should also try harder to solve a frustrating and still urgent proliferation problem. By doing so, we would reduce a serious source of tension in a region that longs more than ever for tranquility.

The failure of the last round of negotiations in Istanbul at the end of January and the last disappointing exchange of letters between the parties show only too well that the current deadlock will be difficult to break. On the process, the more discreet and technical negotiations are, the better chance they will have to progress. And on the substance, we already know that any solution will have to build on the quality of the inspection system of the IAEA.

Either we trust IAEA's ability to supervise all its member states, including Iran, or we do not. And if the answer is that we do not, then we must ask why, if the organization is effective only with its most virtuous members, we should continue to maintain it.

The next step should be for the two sides in this conflict to ask the IAEA what additional tools it needs to monitor the Iranian nuclear program fully and provide credible assurances that all the activities connected with it are purely peaceful in intent. The

agency's answer would offer a basis for the next round of pragmatic negotiations with Iran.

\* Svenska Dagbladet, le Monde, le Soir, le Temps, le Devoir, Globe and Mail, Los Angeles Times, O Estado de Sao Paulo, Clarin